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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

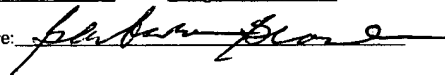
INVENTOR:	J. Beintner et al.)	EXAMINER:	F. Erdem
)		
SERIAL NO.:	10/707,754)	ART UNIT:	2826
)		
FILING DATE:	January 9, 2004)	DATE:	August 26, 2004
)		
FOR:	Nitrided STI Liner Oxide for)		
	Reduced Corner Device Impact)		
	on Vertical Device Performance)		

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By: Barbara Browne Date: August 26, 2004

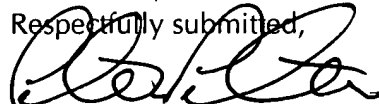
Signature: 

Dear Sir:

Responsive to the Office Action mailed August 10, 2004, and the restriction requirement made therein, applicants provisionally elect Group I, claims 1-14, drawn to a semiconductor device, for continued examination herein.

Applicants traverse the restriction requirement on the grounds that 35 USC § 121 authorizes restriction only when the claimed invention is "independent and distinct" (emphasis added). A search of the subject matter of Group I, claims 1-14, drawn to a semiconductor device would necessarily require a search of the subject matter of Group II, claims 15-31, drawn to a method of making a semiconductor device. Thus the method delineated in Group II is not directed to an independent and distinct matter.

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Respectfully submitted,

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